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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/927,911	08/10/2001	Hasan S. Alkhatib	TTCC-01003US0	5592
28554	7590	12/28/2005	EXAMINER	
VIERRA MAGEN MARCUS HARMON & DENIRO LLP 685 MARKET STREET, SUITE 540 SAN FRANCISCO, CA 94105			HYUN, SOON D	
			ART UNIT	PAPER NUMBER
			2661	
DATE MAILED: 12/28/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/927,911

Applicant(s)

ALKHATIB ET AL.

Examiner

Soon D. Hyun

Art Unit

2661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,5-40 and 42-70 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 23-37,42,51-53 and 64-69 is/are allowed.
- 6) ☒ Claim(s) 1,2,9,13,15,18,19,38,39,44,48,50,54,55 and 60 is/are rejected.
- 7) ☒ Claim(s) 3,5-8,10-12,14,16,17,20-22,40,43,45-47,49,56-59,61-63 and 70 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>08/24/05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

Claim Objections

2. Claims 1, 5, 6, 9, and 11-13 are objected to because of the following informalities: Appropriate correction is required.

In claim 1, line 7, -- entity – should be added after “destination to avoid the antecedent basis problem.

In claim 5, line 12, -- entity – should be added after “destination to avoid the antecedent basis problem.

In claim 6, line 9, -- entity – should be added after “destination to avoid the antecedent basis problem.

In claim 9, line 4, -- entity – should be added after “destination to avoid the antecedent basis problem.

In claim 11, line 2, -- entity – should be added after “destination to avoid the antecedent basis problem.

In claim 12, line 2, -- entity – should be added after “destination to avoid the antecedent basis problem.

In claim 13, line 4, “a” before “first entity” should be changed to – the --.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 2, 9, 13, 15, 18, 19, 38, 39, 44, 48, 50, 54, 55, and 60 are rejected under 35 U.S.C. 102(e) as being anticipated by Hoke et al (U.S. Patent No. 6,701,437).

Regarding claim 1, Hoke et al (Hoke) discloses a method for communicating, comprising the steps of:

obtaining a first local address, i.e., a source endstation 112 in FIG. 1 obtains an address of a destination endstation to create a transport packet 210 in FIG. 2 including the address in the destination address field 214 in FIG. 2, the address is a local IP address, see col. 12, lines 33-34) for a destination entity (a destination endstation) and a first global address (an address in the destination address field 234 in FIG. 2) associated with the destination entity, i.e., a destination VPN unit, VU 125 is associated with the destination endstation and the VU 125 has a unique IP address (a global address), the destination entity is on a private network (a virtual private network, VPN) and the source endstation uses the first local address to communicate with the destination entity;

creating a message (a source VPN unit 115 in FIG. 1 creates a tunnel packet 230 in FIG. 2, see col. 9, lines 18-34) that includes encapsulation within a single protocol level (col. 13, lines 6-16), the message includes the first local address as a first destination address and the first global address as a second destination address (a tunnel packet 230 in FIG. 2); and

communicating the message toward the destination.

Regarding claim 9, Hoke further discloses the steps of:

receiving the message (the tunnel packet 230) at an intermediate entity (the destination VPN unit, VU125);

removing a layer of encapsulation from the message; and

forwarding the message the destination entity (see step 430 and 440 in FIG. 4, col. 11, lines 32-40).

Regarding claim 2, Hoke further discloses that the first local address and the first global address are translated, i.e., bases on a domain name (col. 11, lines 14-16).

Regarding claims 13 and 19, refer to the discussion for claims 1 and 9. The VU 125 receives the message.

Regarding claim 15, Hoke further discloses that the tunnel packet is an IP packet (col. 13, lines 5-16).

Regarding claim 18, Hoke further discloses the steps of:

preparing (by the VPN unit VU 125) a response (another tunnel packet to communicate with the source endstation), the response includes the first local address (as a source address of the another tunnel packet), a second local address (as a

destination address, i.e., an address of the source endstation 112 creating the message) and a second global address (the address of VPN unit VU 115 as a destination address), the second global address and the second local address correspond to the source entity (endstation 112), the message is created by the source entity, the response includes a set of encapsulated IP packets (a transport packet and tunnel packet); and

 sending the response toward the source entity.

 Regarding claim 38, refer to the discussion for claim 1. Hoke further discloses a computer readable medium storing instructions for the method (see claims 31-33 of Hoke).

 Regarding claim 39, refer to the discussion for claim 2.

 Regarding claim 44. Refer to the discussion for claims 13 and 38.

 Regarding claim 48, refer to the discussion for claims 1, 2, and 38.

 Regarding claim 50, Hoke further discloses that the tunnel packet encapsulates the transport packet within a single protocol level (IP protocol).

 Regarding claim 54, refer to the discussion for claims 1, 2, and 38, the apparatus as recited in the claim is the VPN unit VU 115.

 Regarding claim 55, refer to the discussion for claim 2.

 Regarding claim 60, refer to the discussion for claims 44. The apparatus as recited in the claim is the VPN unit VU 125.

Allowable Subject Matter

5. Claims 23-37, 42, 43, 51-53, and 64-69 are allowed.

Claims 5 and 6 would be allowable if the objection is corrected.

Claims 3, 8, 10-12, 14, 16, 17, 20-22, 40, 45-47, 49, 56-59, 61-63, and 70 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

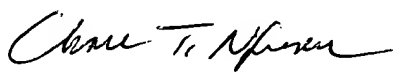
Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Soon D. Hyun whose telephone number is 571-272-3121. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau T. Nguyen can be reached on 571-272-3126. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


S. Hyun
12/24/2005


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SUPERVISORY PATENT EXAMINER
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